

REMARKS/ARGUMENTS

Claims 13, 14 and 18-20 remain pending in the application, as claims 1-12 and 15-17 have been canceled without prejudice. In the Office Action, claims 1-20 were rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent Application Publication No. 2004/0073701 to Huang, et al. (Huang).

Independent claim 13 has been amended by incorporating the limitations of claims 15-17 therein. Thus, claim 13 now recites a channel buffer coupled to the channel in which the channel buffer stores data that is to be sent via the channel, and the IPC scheduler chooses enough data from the channel buffer to support a data rate required by the channel and scales the data that the IPC scheduler picks from the channel buffer depending on a size of an IPC frame that is used by the IPC scheduler. Applicants respectfully submit that Huang does not describe such features.

In particular, the passages in Huang on which the Examiner bases the rejections of claims 16 and 17 (paragraphs 0077-0079 and 0083, as shown on pages 6 and 7 of the Office Action) merely describe the process of a publisher setting up a channel for publishing content. At no point in these passages or anywhere else does Huang mention anything about choosing enough data from channel buffers to support a data rate required by a channel. Moreover, Huang never describes the process of scaling data depending on the size of an IPC frame. In fact, the term “quality of service” never even appears in the sections of Huang cited by the Examiner.

In view of the above, Applicants submit that the above claims are patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Although no fee is required with this submission, the Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

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